CRIME IN FACTORY FOULEST HE EVER KNEW, SAYS BURNS

Thinks Killing Was Prod-

uct of a Mind Steeped in Crime—He Is Confident of Success.

LETTER FROM BECKER TO THE CONSTITUTION

Former Master Mechanic Throws New Light on the Death Notes Found in the Factory Basement.

“The slayer of Mary Phagan was a criminal of the worst type. I have never come in contact with a tragedy so foul.”

This assertion was made by Detective William J. Burn Thursday afternoon to a reporter for The Constitution, who talked with him in the office of Attorney Leonard J. Haas, to which the noted sleuth had repaired for a brief respite from his vigorous activities during the forenoon.

“Furthermore, I see my way perfectly clear to point my finger at the guilty man. It is a simple matter. My investigation has been an easy one, and is growing easier as it progresses. It has merely meant the following of the trend of the criminal mind.

This process, to a man of my long experience with criminals, is no difficult matter."

"Throughout this murder there can plainly be seen the thread of the criminal's mental process. It is certainly a simple thing to detect. Simple, I mean, in a sane and normal investigation after the hysterics that always follow such a crime have died away."

Letter From Becker.

A letter from Henry F. Becker, of Irvington, N. J., the pencil factory employee whose name is said by Frank's defense to be written on one of the murder notes found by Mary Phagan's body, has been received by The Constitution. It throws new light on the death note phase of the mystery.

It is as follows:

"Editor Constitution: Just a few lines in reference to Leo Frank's case, I would like to make a few remarks in his behalf. Having been employed as master mechanic with the National Pencil company, where I came in contact with Mr. Frank more than any one else of the employees, I will state I always found him."

"There has been a booklet sent me from Atlanta, with a photograph of the notes found by the girl's body. As near as I can see, one of these notes bears my signature. Before I left the employ of the pencil factory I sent the bulk of old order books to the basement to be burned, as I did not keep them for reference to myself, and with the photographs I noted the date 190—. As the negro claims that the notes were written in Mr. Frank's office, it could not be possible, as Mr. Frank's order blanks were date 191—. I am not connected with Mr. Frank in any way or form, but I would like to see that justice is done by giving him another trial so his innocence may be proved. Sincerely yours,

(Signed) HENRY F. BECKER,

"41 Maple Avenue, Irvington, N. J."

Work of Crime-Saturated Mind.

"An analytical probe of this murder," Burns told the reporter, "will unquestionably reveal the criminal state of mind that implied it. In all its various phases, the stamp of a crime-saturated mentality in indelibly shown. Fewer cases upon which I have worked manifested more obviously the criminal turn of mind of the perpetrator."

Burns discussed this feature of his investigation at length, but would go no further into detail. He stated that he had met no obstacles in the course of his investigation, and that, thus far, he had met the fullest co-operation with everyone whom he sought for aid.

"And I can say this much," he de-

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clared, "I am perfectly satisfied with results. I am utterly confident of success, and there is positively no doubt in my mind that I will soon be able to post conclusively at the slayer of Mary Phagan."

Thinks Dorsey Was Misled.

He was asked by the reporter when he intended conferring with Solicitor General Hugh M. Dorsey and with the detectives at police headquarters. It was in his answer to this question that the detective made the interesting assertion that Dorsey had likely been misled in Frank's prosecution.

"But it was by private detectives," Burns declared. "The average private detective is one of the most diabolical evils with which we have to contend. If we take it for granted that Dorsey was misled in the Frank case, I firmly believe he is the kind of man who will set about at once to rectify the wrong he has done."

"Dorsey was not prejudiced. Although I do not know him, I understand him to be an entirely different type of man. He believed that what action he took was right, and that it was

founded on justifiable basis. He believed that what action he took was right, and that it was founded on justifiable basis. He might have been zealous—let that be granted—but our country would be in a bad fix if we did not have public prosecutors who took up their duty with zeal and spirit."

"If Leo Frank is guilty of the murder of Mary Phagan, he should hang. Whoever is guilty should hang. I feel that way, and Dorsey felt that way. Dorsey believed he was guilty. Dorsey was furnished with substance that tended conclusively to show that Frank was guilty. Dorsey didn't collect that substance. It was collected by others and put in his hands."

Convincing Results.

"For this reason: I will have results that will convince them all. I am thoroughly satisfied of that. Even at this early day, I am prepared to do no little amount of convincing. And, when I am near the finishing point, I will turn my data over to the solicitor general and he may act as he sees fit upon it."

In keeping with Burns' theory that a criminal mind had produced the murder of Mary Phagan, the reporter put this question:

"Could a man of high intellectual capacity and culture be capable of the crime?"

The detective smiled non-committally, answering readily:

"That I would prefer not to say."

"Then, do you think that the murder was committed through savage instinct and nature?"

"Then, do you think that the murder was committed through savage instinct and nature?"

"Neither would I answer that at present."

Burns would not say one way or the other whether or not he had formed any opinion or theory of the crime, or whether he had set suspicion upon any particular suspect.

“Even if I had formed as opinion or theory,” he said, “it would not be proper for me to discuss it at this time.”

He was unable to give any definite idea of the length of his investigation. It may last for many days further, he stated, and may not be necessarily so long.

Dorsey’s Attitude.

The attitude Solicitor Dorsey toward the Burns investigation still remains a mystery. He will have nothing whatever to say for publication. He was asked the question point-blank:

“Will you co-operate with Burns?”

“I don’t care to talk of the subject,” was his answer.

Then this was put to him:

“Or will you refuse him co-operation?”

“I won’t say one way or the other.”

Burns stated to the reporter that his probe was mutual, clean and candid. He had nothing to conceal, he stated, and every fragment of his findings will eventually be made public. He is not “framing up,” he declared, neither is he representing any individual.

“I am merely solving the mystery,” he said, “and making pleasing progress in my work.”

Night Trip to Factory.

Detective Burns, accompanied by Leonard Haas and others associated with Frank’s defense, again went over the scene of the crime last night in the National Pencil factory building on Forsyth

Street. The doors were locked upon their entrance, and none others were admitted.

It is said, although not verified, that the noted sleuth went over the state's theory of the tragedy upon the second floor, seeking to establish certain possibilities of Jim Conley's narration. They spent anywhere from two to three hours upon the second floor, the first floor and in the basement where the body was discovered.

Immediately after he had returned to the Georgian Terrace from the pencil factory building, Burns was communicated with by a reporter for the Constitution. He would not discuss the trip to the building, saying that he had gone there merely to follow up certain developments in his investigation. He would not say whether or not he had made examinations at the scene upon the theory of the prosecution.

Whether or not new clues had prompted the journey to the factory building, Burns would not say. It is believed, however, that he has revealed new threads of the crime which required a second examination of the pencil plant premises. This is the second time Burns has gone over the scene of the murder.

His trip to the plant building last night lasted from 7:30 o'clock until some time after 10, after which he went to his apartments in the Georgian Terrace. He expects, he stated to the reporter, to make other visits to the factory.

Debate by Law Students.

After a hotly contested debate on the question of whether or not Leo M. Frank should have a new trial, the junior class of the Atlanta Law school decided Thursday that he should not.

For nearly an hour, arguments, charges and counter-charges were made by the embryo lawyers. The debate was entirely impromptu, being arranged without preparation, when it was found that the class instructor in "Agency Law" was unavoidably absent Thursday afternoon. The debate was

proposed and agreed upon, the subject being, “Resolved, That Leo Frank should have a new trial.”

Hewitt W. Chambers, a graduate of the Boys’ High school, who is now connected with the municipal court while studying law, was leader of the winning side. He made forceful address in favor of upholding the courts and not attempting to overturn the verdict of the trial jury and the supreme court. His principal argument was that the questions now being raised by the adherents of the convinced man, and being agitated throughout the country; were argued to the supreme court of Georgia and turned down by that austere body as insufficient to warrant a new trial. He also argued vigorously against trial sin the press.

Robert M. Strickland, former president of the class, who is connected with the S. M. Inman company, led the affirmative side, making a strong argument in favor of giving Frank another trial, based mainly on the plea that public sentiment was so strong against Frank that the jury was bound to have been influenced. He was supported in his argument by Raymond O. Holton. The other speaker on the negative, who supported Mr. Chambers, was E. W. Smith.

The debate was presided over by J. Walter LeCrew, president of the class. At the close of the addresses and rebuttals the question was voted on by the entire junior class, according to the prearranged plan, who decided that under the arguments presented the negative had won.

SECRET ATTEMPT TO GRILL CONLEY

Attorney Makes Written Demand on Jail Author-ities to Bar All Visitors

From Cell of the Prisoner.

CONLEY WELL CARED FOR

SAYS SHERIFF MANGUM

Trail in Mary Phagan Mur-

der Case Very Plain, As-

serts Burns—Promises an Early Solution of Mystery.

A move to thwart Detective William J. Burns in any probable secret effort to examine Jim Conley was made yesterday afternoon by William M. Smith, the negro's attorney, who has issued a written demand on the sheriff to keep persons from his client's cell.

This is the second order of its kind ever made in the negro's case. Judge L. S. Roan, at the close of the Frank trial, issued instructions to Sheriff C. W. Mangum to prohibit all visitors from the negro's presence.

Attorney Smith and attaches of the Tower are silent in regard to the order issued Wednesday. Smith will have nothing to say further than what he dictated it during the afternoon, immediately after which he appeared at the Tower. He says he intends to be present at any interview with his client.

Confers With Conley.

After conferring with Head Jailer John Suttles, the attorney entered Conley's cell, remaining with the negro for an hour or more. It was the first talk he has had with Conley in considerable while.

Sheriff Mangum, after Smith's visit to the Tower, stated to a reporter for The Constitution that any orders for Conley's

protection further than the one he received from Judge Roan would be unnecessary.

“Conley,” the sheriff declared, “is receiving the fullest care and protection. No one has seen him except his attorney and minister, except by order from Mr. Smith.”

All Leave a Trail.

“Every criminal leaves some sort of trail,” Bruns said to newspaper reporters Wednesday morning.

“The trial is very plain. Every murderer leaves a clew that betrays him plainly. As in this case, however, it is much better to wait until public temper and indignation has resumed its normal state, then begin on a calm and sane investigation of the facts, which I am now doing.”

Then the detective had this to say of Solicitor Dorsey:

“Notwithstanding the various charges that have been made, I think Solicitor General Hugh Dorsey has been absolutely honest in this case, and that he never would have prosecuted a man he did not thoroughly believe to be guilty. But, however keen or smart a man may be, his vision is liable at times to be distorted.”

“Theories in criminal cases should always be made to fit the facts, and not the facts be made to fit the theory. I have known cases where theories have been construed out of undiluted air, and then facts molded to fit the theory.”

Burns Confident.

Burns was confident that it was not too late to get at the bottom of the Phagan mystery. His progress has been even better than expectations, he declares. Throughout Wednesday he was busy examining various witnesses, one of whom was Newt Lee, the negro night watchman, who discovered the body of Mary Phagan.

He also paid a visit to the cell of Frank in the Tower, remaining, however, only a short while. Much of the day was

spent in conference with members of the convicted superintendent's counsel, Herbert Haas and Leonard Haas and Luther Z. Rosser, Sr.

Ut was abbiybced frin tge iffuces if Frabj;s attorneys Wednesday that the motion for a new trial on the ground of newly discovered evidence has been finished and is ready for presenta-

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SMITH TO THWART SECRET ATTEMPT

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tion to Judge Ben Hill. It will be filed, it is said, some time soon.

Will Ask Dorsey's Aid.

Whether Solicitor General Hugh M. Dorsey will offer to Detective William J. Burns his co-operation in his investigation is causing considerable speculation.

Indications are that Mr. Dorsey will take no part in Burns' probe. The solicitor, however, will have nothing to say one way or the other.

Burns stated to a Constitution Reporter last night that he would request the co-operation of Dorsey and the solicitor's office at an early moment.

He plans to go over the entire case with Mr. Dorsey from beginning to present status. He expects the solicitor to furnish his theory and his conception of the most important factors in the chain of evidence which the state produced to convict Leo Frank.

"I do not expect to find antagonism in the solicitor general," said Burns. "I expect him to assist me with very resource at his command. From what I have heard of him, he is not the kind of man to reject the requests of a man who is trying to get at the truth of a mystery."

"Furthermore, I do not expect to encounter hostility in anyone with whom I might want to confer. The detectives at police headquarters, I am assured, will do all they can to help me."

An interesting phase of Burns' association with the Frank case has arisen in his attitude toward the Pinkerton National Detective agency, whose field superintendent, Harry Scott, was perhaps the most important factor in the investigation of the Phagan murder.

Believed Frank Guilty.

The Pinkertons were employed by Leo Frank, Harry Scott, on the witness stand, delivered testimony which was damaging to the convicted man's defense. He declared that he had worked upon the case purely with the view of finding the murderer. At one time a statement was issued from the Pinkerton office stating the belief that Frank was guilty.

Burns said last night that he would have nothing to do with the Pinkertons or with Harry Scott and that he did not care to be

associated in any manner with a private detective agency. He declared, however, that the intended examining every other person who had any connection with the investigation of Mary Phagan or with the subsequent developments.

Burns also announced that Dan Lehon, superintendent of the Southern Division of the Burns detective forces, had been ordered to come to Atlanta to assist his chief of the Frank investigation.

In reference to a published story Wednesday to the effect that Burns, in a talk with newspapermen, indicated the belief that Frank was innocent, Burns said that he had not expressed any opinion and that he would not until time of his final report.

“Whether or not I have formed any opinion is another matter,” he declared. “I would not discuss it if I had. I have never said to anyone that I believe Frank either guilty or innocent.”

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REV. LINE TO DISCUSS FRANK CASE ON SUNDAY

Rev. Fred A. Line will discuss the Frank case at the 11 o’clock morning service at the Universalist church, 16 East Harris Street, next Sunday. His subject will be “Vital Aspects of the Frank Case.”

At the evening service at 8 o’clock, Mrs. McLendon, state president of the Equal Suffrage association, and Leonard Grossman will speak on the subject of “Equal Suffrage—A Moral Issue.”